

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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GLYNN JONES,

Plaintiff,

-against-

**ORDER**  
**09 CV 2453 (KAM)(LB)**

THE CITY OF NEW YORK,  
DETECTIVE EDGAR BOURDON,  
JACQUELINE A. MILLER,  
RESNICK,  
KARL ROSENTHAL,  
NEW YORK CITY POLICE DEPARTMENT,  
LIEUTENANT SEAMUS MCHUGH,  
DETECTIVE PATRICK COWARD,  
JOHN DOE IV,

Defendants.

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**BLOOM, United States Magistrate Judge:**

On April 28, 2010, plaintiff moved for an entry and judgment of default against defendant Miller (document 44), and the Court Ordered defendant Miller to show cause why the motion should not be granted. (Document 48.) On May 14, 2010, defendant responds, stating that because she was not represented by counsel, she was unaware that she needed to answer the complaint within a specified time. (Document 50.)

It is well established that default judgments are disfavored and “there is a strong public policy favoring resolving disputes on the merits.” Pecarsky v. Galaxiworld, 249 F.3d 167 (2d Cir. 2001). Although defendant Miller’s claim that she was unaware of her obligations to respond to the complaint because she was not represented is a poor excuse for failing to respond to the amended complaint, in light of defendant’s *pro se* status and the Circuit’s preference for adjudicating cases on the merits, plaintiff’s motions for entry

and judgment of default are denied, and defendant Miller's request for an extension of time to respond to the amended complaint is granted. Plaintiff shall immediately serve another copy of the amended complaint<sup>1</sup> on defendant Miller by mail, and defendant Miller shall respond to the amended complaint by June 14, 2010. Defendant Miller may contact the Court's *Pro Se* Office for instructions regarding how to respond to a complaint.

SO ORDERED.

/S/  
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LOIS BLOOM  
United States Magistrate Judge

Dated: May 26, 2010  
Brooklyn, New York

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<sup>1</sup> Defendant Miller claims that she was not served with the amended complaint. (Document 50.) Plaintiff claims that she was. (Document 44.)